

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 388 OF 2017

FRANCIS THOMAS GONSALVES, REP. BY
ATT. LUIS DOMINGOS DE MENEZES
ROQUE DE SOUSA @ LUIS DE SOUSA., ... Petitioner

Versus

IRENE BARBOSA AND 7 ORS., ... Respondents

Shri Jayant Mulgaonkar, Advocate for the Petitioner.

Smt. A. Agni, Senior Advocate with Ms. Elma Esteibero,
Advocate for the Respondent No. 1.

Shri Amir Jamadar, Additional Government Advocate for the
Respondent No. 8.

Coram:- C. V. BHADANG, J.

Date:- 5th April 2018

ORAL ORDER:

Heard Shri Mulgaonkar, the learned Counsel for the petitioner, Smt. Agni, the learned Senior Counsel for the respondent no. 1 and the learned Additional Government Advocate for the respondent no. 8.

2. On hearing the learned Counsel for the parties and on perusal of the record, I find that no case for interference is made out. All that the petitioner contends is that, in view of the pendency of the civil suit, parallel proceedings under Section 113 of the Goa Land Revenue Code were not competent. The learned Counsel for the petitioner submits that the order passed in the

demarcation proceedings would be subject to the outcome of the civil suit.

3. Smt. Agni, the learned Senior Counsel for the respondent no. 1 pointed out that the order passed in the demarcation proceedings, is also subject matter of challenge before the Civil Court.

4. In that view of the matter, I decline to entertain the petition, which is accordingly dismissed with no order as to costs. The order passed in the demarcation proceedings would be subject to the outcome of the civil suit.

C. V. BHADANG, J.

EV